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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 DEUTSCHE BANK NATIONAL TRUST
11 COMPANY AS TRUSTEE FOR MORGAN
STANLEY ABS CAPITAL I INC. TRUST
12 2006-NC5, MORTGAGE PASS THROUGH
CERTIFICATES SERIES 2006-NC5, a
13 California Corporation,

14 Plaintiff,

15 vs.

16 5916 POST MOUNTAIN TRUST, a Nevada
17 Trust, SIERRA RANCH HOMEOWNERS
ASSOCIATION
18

19 Defendants.

Case No.: 2:15-cv-02420-APG-EJY

STIPULATION AND ~~PROPOSED~~
ORDER TO AMEND ANSWER TO
ADD COUNTERCLAIMS

20 Defendant 5916 Post Mountain Trust (hereafter, "Defendant") by and through its attorneys
21 of record, Michal N. Beede, Esq. and James W. Fox, Esq., of The Law Office of Mike Beede,
22 PLLC; Defendant Sierra Ranch Homeowners' Association (hereafter, "Sierra Ranch"), by and
23 through its attorneys of record, Sean L. Anderson, Esq. and Ryan D. Hastings, Esq., of Leach Kern
24 Gruchow Anderson Song; and Plaintiff Deutsche Bank National Trust Company as Trustee for
25 Morgan Stanley ABS Capital I Inc. Trust 2006-NC5, Mortgage Pass-Through Certificates, Series
26 2006-NC5 (hereafter, "Plaintiff," or "Deutsche"), by and through its attorneys of record, Robert A.
27 Riether, Esq. and Rock K. Jung, Esq. of Wright, Finlay & Zak, stipulate and agree to the following:
28

1. Defendant 5916 Post Mountain Trust filed its Answer to Plaintiff's Complaint (ECF No. 44) on November 13, 2019.
2. Defendant 5916 Post Mountain Trust filed its Answer to Plaintiff's First Amended Complaint (ECF No. 47) on December 23, 2019. [ECF No. 51].
3. Defendant 5916 Post Mountain Trust now wishes to amend its previously filed Answer to correct typographical errors and assert counterclaims against Deutsche.
4. The parties hereto stipulate to allow Defendant 5916 Post Mountain Trust to amend its Answer and Add Counterclaims.
5. Per the Scheduling Order (ECF No. 45), "The Parties shall have until **Tuesday, February 4, 2020**, to file any motion to amend the pleadings or to add parties, which is ninety (90) days before the discovery cut-off date pursuant to LR 26-1(b)(2)."

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6. Defendants' proposed First Amended Answer and Counterclaims attached hereto as Exhibit 1 shall be filed with this court.

DATED this 21st day of January, 2020.

THE LAW OFFICE OF MIKE BEEDE, PLLC

By: /s/ James W. Fox

MICHAEL BEEDE, ESQ.

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JAMES W. FOX, ESQ.

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Attorney for 5916 Post Mountain Trust

DATED this 21st day of January, 2020.

WRIGHT, FINLAY & ZAK

By: /s/ Robert Riether

ROBERT RIETHER, ESQ.

Nevada Bar No. 12076

ROCK K. JUNG, ESQ.

Nevada Bar No. 10906

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*Attorneys for Deutsche Bank National
Trust Company as Trustee for Morgan
Stanley ABS Capital I Inc. Trust 2006-
NC5, Mortgage Pass-Through
Certificates, Series 2006-NC5*

DATED this 21st day of January, 2020.

LEACH KERN GRUCHOW ANDERSON SONG

By: /s/ Ryan Hastings

SEAN L. ANDERSON, ESQ.

Nevada Bar No. 7259

RYAN D. HASTINGS, ESQ.

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*Attorneys for Sierra Ranch
Homeowners' Association*

Case Name: Deutsche Bank v. 5916
Post Mountain Trust, et al.

Case Number: 2:15-cv-02420-APG-EJY

ORDER

The Court, having reviewed the stipulation of the parties, and good cause appearing
therefore,

IT IS HEREBY ORDERED that Defendant 5916 Post Mountain is permitted to amend
its Answer and add Counterclaims. The Amended Answer and Counterclaims attached hereto
as Exhibit 1 shall be filed with this Court.

IT IS FURTHER ORDERED that the Clerk of Court shall separate and electronically
file Defendant 5916 Post Mountain Trust's Amended Answer to Plaintiff's First Amended
Complaint and Counterclaim attached to ECF No. 58.

Dated: January 22, 2020


UNITED STATES MAGISTRATE JUDGE

Submitted by:

THE LAW OFFICE OF MIKE BEEDE, PLLC

By: /s/ James W. Fox

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